

Rec'd PCT/PTO 26 APR 2006
10/535103 #4
MAIL STOP PCT
Attorney Docket No. 26784U
Petition for Non-Signing Inventor
Page 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BEN SHALOM et al.

International Application No. PCT/IL03/00974

Serial No. NOT YET ASSIGNED

International Filing Date: 12 November 2003 (12 November 2003)

Filed: May 16, 2005

For: PERISTALTIC PUMP

PETITION UNDER 37 1.47 FOR FILING WHEN AN INVENTOR REFUSES TO
SIGN

Commissioner for Patents

Attn: Petitions Examiner - PCT Legal
P.O. Box 1450
Alexandria, VA 22313-1450

05/01/2006 LLANDGRA 00000062 10535103

01 FC:1463 Sir: 200.00 OP

Petitioner, through the undersigned attorney, hereby requests that the that the executed signature by a person who was the CEO of the company through which the inventor was employed when he participated in the invention of the present application, may be allowed to make the application for patent on behalf of the non-signing inventor who refuses to sign.

The invention was described and filed as an international application PCT/IL2003/000947 with an international filing date of November 12, 2003. It subsequently entered the national stage in the U.S. under 37 U.S.C. 371 on May 16, 2005. Four inventors participated in the invention and three inventors signed the Declaration/Power of Attorney for the U.S. national phase. The fourth inventor refused to sign the Declarations/Power of Attorney that was presented to him as described below.

Statement of Facts:

- 1) The four inventors, Zvi BEN-SHALOM, Ori GOLDOR, Roni SHABAT

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28 JUN 2005
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and Shaul OZERI were employees of Q-Core Ltd. of Ramat Gan, Israel. Mr. Shaul OZERI was employed with Q-Core Ltd. from November 10, 2001 to August 20, 2003. Together, the four participated in the invention of the present application.

- 2) The present invention was filed as an international patent application PCT/IL2003/000947 on November 12, 2003 and subsequently entered the national stage in the U.S. on May 16, 2005 under 35 USC 371.
- 3) On May 10, 2005 the Israeli law firm, Reinhold Cohn & Partners, in preparation for the U.S. national phase entry, sent a letter with enclosures to Mr. Eran Resheff, the CEO of Q-Core Ltd. Among the enclosures were the Declaration/Power of Attorney and Assignment documents. The letter and enclosures are labeled as "Attachment A".
- 4) Mr. Resheff acknowledges receipt of the letter dated May 10, 2005 with the enclosures including the Declaration/Power of Attorney. He requested the four inventors, including Mr. Ozeri, sign the documents. Mr. Ozeri did not sign the documents. The remaining three inventors signed the documents as requested.
- 5) Mr. Reshef asserts that he spoke several times to Mr. Ozeri about signing the documents and that Mr. Ozeri informed him he "will not sign the two documents". Mr. Reshef's signed Declaration attesting to these facts is submitted herewith.
- 6) Mr. Resheff, as the CEO of Q-Core Ltd., requests that Mr. Ozeri be declared a non-signing inventor of the present application. Mr. Resheff, has proprietary interest in this matter to justify such action, and wishes to make application on behalf of the non-signing inventor, Mr. Ozeri and has signed a Declaration to that effect.
- 7) A patent attorney, Dr. Ben Spungin, for the Israeli firm, Reinhold Cohn and Partners, which represents Q-Core Ltd. states that his firm sent a letter and enclosures,

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described above, to Mr. Eran Reshef, the CEO of Q-Core Ltd. on May 10, 2005, labeled as "Annex A".

- 8) On September 26, 2005 the U.S. Patent and Trademark Office issued a Notification of Missing Requirements to our firm, as the U.S. attorney representing the applicant in the present case. Our firm subsequently forwarded said Notification to Reinhold Cohn and Partners on September 30, 2006. Further reminder emails were sent monthly regarding the due date for the response.
- 9) Dr. Spugin further states that on November 14, 2005 a letter was mailed directly to Mr. Shaul OZERI at his home address via registered mail with return receipt, labeled as "Annex B".
- 10) Not having received a response from Mr. OZERI to the November 14, 2005 letter, the letter was sent again on December 14, 2005 by registered mail.
- 11) A report issued the Israel Postal Service shows that the letter dated November 14, 2005 was received by the Israel Postal Service on December 14, 2005 at 3:41 pm. The report further shows that this letter was delivered to the addressee, Mr. Ozeri on December 23, 2006 at 10:25, labeled as "Annex C".
- 12) Dr. Ben Spungin, for the Israeli Patent Firm Reinhold Cohn, attests to the facts above and request that Mr. Ozeri be declared as a non-signing inventor. Dr. Spungin's statement is attached herewith.

Items submitted herewith:

- (a) Transmittal Letter,
- (b) Copy of Notice of Missing Requirements,
- (c) Petition for 5 month Extension of Time,
- (d) **Petition Under 37 1.47 for Filing When an Inventor Refuses to Sign;**

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- (e) Declaration by Mr. Eran Resheff, CEO of Q-core Ltd.
- (f) Declaration by Dr. Ben Spungin, patent attorney for Reinhold Cohn and Partners,
- (g) Annex A, letter to Mr. Resheff of Q-CORE LTD.,
- (h) Annex B, letter to Mr. Ozeri at his home address,
- (i) Annex C, report issued by Israel Postal Service,
- (j) Stamped filing receipt of items submitted for the U.S. National Phase Under 35 USC 371 on May 16, 2005,
- (k) Copy of executed declaration without fourth inventor's signature as submitted on May 16, 2005,
- (l) Assignment executed by three of the four inventors,
- (m) Check No. 2049 \$ 130.00 for Petition Fee Under 37 CFR 1.17(h);
- (n) Check No. 2050 \$ 1,080.00 for 5 month extension of time fee as a small entity;
- (o) Check No. 2051 \$ 65.00 for surcharge;
- (p) Check No. 2052 \$ 70.00 for increase in Petition Fee Under 37 CFR 1.17(h).

It is respectfully requested that Mr. Eran Resheff, CEO of Q-CORE LTD. be permitted to make application on behalf of the non-signing inventor, as Q-CORE LTD. has sufficient proprietary interest by virtue of the assignment executed by three of the four inventors and the fact that Mr. Ozeri was employed by Q-CORE LTD. when he participated in the invention. Submitted herewith is the proof of the pertinent facts.

The last know address of the sole inventor, Mr. Shaul OZERI is:
42 Gorinman Street, Ramat-Aviv, Tel Aviv 69971, ISRAEL.

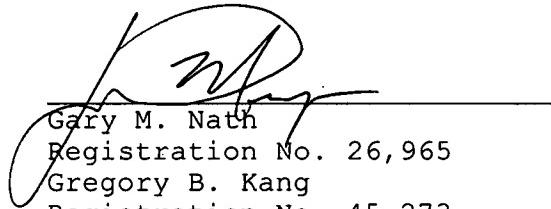
Please note that a Preliminary Amendment to remove multiple dependencies was filed on May 16, 2005. Thus, applicant believes that no additional claims fee or multiple dependent surcharge is due for this application.

However, should there be any deficiency in fees or credit for any overpayment in connection with this matter, please charge to our deposit Account No. 14-0112.

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Please direct any questions or comments to the undersigned attorney.

Respectfully submitted,
NATH & ASSOCIATES PLLC



Gary M. Nath
Registration No. 26,965
Gregory B. Kang
Registration No. 45,273
Jerald L. Meyer
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Customer No. 20529

Date: April 26, 2006
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REINHOLD COHN
& PARTNERS
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 1899-1973
 Ilan Cohn, Ph.D., Biol.
 David Gilat,
 B.Sc. Chem., LL.B. Adv.
 Jonathan J. Topper,
 M.A. Eng., Eng.
 Ehud Hausman,
 M.Sc. Comp. Sc., LL.B. Adv.
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 Tamar Morag - Sela,
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 LL.M. Adv.
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 Ph.D. Biol. & Maths.
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 Muri Lotan, Ph.D. Biol.
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 Ins Oren Cox, J.D.
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 U.S. Attorney (OR)
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 B. Eng. EE, MBA
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 Jerusalem, Shenhav House
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Website: www.rcip.co.il
 E-mail: info@rcip.co.il

April 26, 2006

DECLARATION

I, Mr. Eran Resheff, knowing that I must state the truth, and after having been warned of the possible consequences, should I fail to do so hereby declare as follows:

1. I am the CEO of Q-Core Ltd., of Ramat Gan, Israel
2. Mr. Shaul Ozeri was employed by Q-Core Ltd from 10/11/2001 to 20/08/03.
3. The invention disclosed in U.S. Patent Application 10/535,103 (hereinafter "*the present application*") was invented at Q-Core Ltd. During the period of his employment at Q-Core Ltd, Mr. Ozeri participated in the invention of the present application. Mr. Shaul Ozeri is one of four inventors of this invention.
4. I am submitting this Declaration in support of a Petition that Mr. Shaul Ozeri be declared to be a non-signing inventor of the present application.
5. In May 2005, I received from the offices of Reinhold Cohn and Partners, Tel Aviv, Israel, a letter dated May 10, 2005. Enclosed with this letter were documents for execution. The documents for execution included a combined "Declaration and Power of Attorney" and an "Assignment" (hereinafter "the two documents"). The letter instructed me, *inter alia*, to have the two documents signed by the inventors.
6. In response to the May 10, 2005 letter from Reinhold Cohn and partners, I requested from each of the four inventors, including Mr. Ozeri, to sign the two documents.
7. To the best of my knowledge and belief, as of today, Mr. Ozeri has not yet signed the two documents. The remaining three inventors signed the two documents as requested in May 2005.
8. I have spoken several times to Mr. Ozeri about signing the two documents. Mr. Ozeri has informed me that he will not sign the two documents.



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9. In view of the above, Mr. Ozeri was clearly presented with a request to sign the Assignment and combined Declaration and Power of Attorney, and has had ample time to comply with the request.
10. Accordingly, it is respectfully requested that Mr. Ozeri be declared a non-signing inventor of the present application.



Mr. Eran Resheff CEO
Q-core Ltd. 8143 712-112
Q-CORE LTD

Date: April 26, 2006

REINHOLD COHN
& PARTNERS
PATENT ATTORNEYS

— ESTABLISHED 1934 —

Dr. Reinhold Cohn
1899-1973

Ilan Cohn, Ph.D. Biol.

David Gilat,
B.Sc. Chem., LL.B. Adv.

Jonathan J. Topper,
M.A. Elec. Eng.

Ehud Hausman,
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B.Sc. Patent Attorney, EPA

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M.Sc. Biochem.

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LL.M., Adv.

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Yigal Fraenkel, Ph.D. Chem.

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Iris Oren Cox, J.D.

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U.S. Attorney (OR)

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Website: www.rcip.co.il
E-mail: info@rcip.co.il



April 26, 2006

DECLARATION

I, Dr. Ben Spungin, knowing that I must state the truth, and after having been warned of the possible consequences, should I fail to do, do hereby declare as follows:

1. I am a patent attorney employed by the office of Reinhold Cohn and Partners of Tel Aviv, Israel.
2. Our Office has been informed by Q-Core Ltd., of Ramat Gan, Israel that Mr. Shaul Ozeri is one of four inventors of the invention disclosed in U.S. Patent Application 10/535,103 (hereinafter "*the present application*").
3. I am submitting this Declaration in support of a Petition that Mr. Shaul Ozeri, be declared to be a non-signing inventor of the present application.
4. On May 10, 2005, our office sent a letter to Mr. Eran Reshef, the CEO of Q-Core Ltd. A copy of this letter and its enclosures is attached herewith and labeled as "*Annex A*".
5. Among the enclosures sent with the letter of May 10, 2005 were documents for execution. The documents for execution included a combined "*Declaration and Power of Attorney*" and an "*Assignment*". The letter instructed Mr. Reshef, *inter alia*, to have these two documents signed by the inventors.
6. To the best of my knowledge and belief, as of today, Mr. Ozeri has not yet signed the two documents. The remaining three inventors signed the two documents as requested in May 2005.
7. A letter from our office addressed to Mr. Ozeri and dated November 14, 2005 is attached herewith and labeled as "*Annex B*". The letter requests Mr. Ozeri to sign the Assignment and Combined Declaration and Power of Attorney. This letter was sent by registered mail.

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REINHOLD COHN

GROUP

— ESTABLISHED 1934 —

REINHOLD COHN & PARTNERS
GILAT, BAREKET & CO.

8. Not having received a response from Mr. Ozeri to our November 14, 2005 letter, the letter was sent again to Mr. Ozeri on December 14, 2005 by registered mail.
9. A Report issued by the Israel Postal Service relating to the second sending of the November 14, 2005 letter (hereinafter "*the Report*") is attached herewith and labeled as "*Annex C*".
10. The Report shows that the letter dated November 14, 2005 was received by the Israel Postal Service on December 14, 2005 at 3: 41 pm. The Report further shows that this letter was delivered to the addressee on December 23, 2006 at 10: 25 am. The addressee of the letter is Mr. Ozeri.
11. To the best of my knowledge and belief, as of this date, Mr. Ozeri has not yet signed the documents he was requested to sign in our November 14, 2005 letter.
12. In view of the above, Mr. Ozeri was clearly presented with a request to sign the Assignment and combined Declaration and Power of Attorney, and has had ample time to comply with the request.
13. Accordingly, it is respectfully requested that Mr. Ozeri be declared a non-signing inventor of the present application.


Dr. Ben Spungin

April 26, 2006
Date

REINHOLD COHN
& PARTNERS
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Ilan Cohn, Ph.D. Biol.
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M.Sc. Hydro. & Aerodynamics

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Consultant

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E-mail: info@rcip.co.il



May 10, 2005

Confirmation copy by mail

Annex A

EMAIL TRANSMISSION

TO: eran@q-core.co.il

Q-CORE Ltd.
"Beit Legav"
24 Ben Gurion St.
Ramat Gan 52573

Attention: Mr. Eran Reshef

Dear Mr. Reshef,

Re: New Patent Application in the U. S. A.
National Phase Application of PCT/IL03/00947
"Peristaltic pump"
In the name of Q-CORE Ltd.
Inventors: Zvi BEN-SHALOM, Ori GOLDOR, Roni SHABAT and Shaul OZERI
Our Ref: 160158-2 BS/il

Thank you very much for your instructions of yesterday to Dr. Ben Spungin, in accordance with which we are now preparing the above new patent application.

Enclosed please find an on-account debit note for our associates' approximate charges.

In accordance with our standing procedures, we ask to kindly take care of this payment without delay, and before we file the above application.

Also enclosed the following documents for execution:

- Declaration and Power of Attorney – to be signed by the inventors.
- Assignment – to be signed by the inventors and two witnesses.
- Small Entity Statement – to be signed by the applicant, if appropriate

Kindly have the above documents signed and dated (in blue ink), and forward them to us, a copy by fax and the originals by mail, as soon as possible. We may be able to save few hundred dollars in filing fees if we submit the document when filing the application.

We should like to thank you for entrusting the filing and prosecution of the above application to our care.

Yours very truly,
REINHOLD COHN AND PARTNERS
By:

Ms. Ilanit Lachman
Administrator Foreign Filing - Patents

IL

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REINHOLD COHN
GROUP
ESTABLISHED 1934
REINHOLD COHN & PARTNERS
GILAT, BAREKET & CO.

REINHOLD COHN
& PARTNERS
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A.Sc. Opt. Mech. Eng.
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Avivana Shtadler,
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Yehuda Seruya,
A.Sc. Aero. Eng.

If Counsel:
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Patent Attorney
Shachter,
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Jonathan Patinkin,
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L.M., Adv.
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Gal Fraenkel, Ph.D. Chem.
Tamar Morag - Sela,
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Nelly Zohar, LL.B., Adv.
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Miri Cohen, B.Sc. Biol.
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November 14, 2005

OZERI Shaul
42 Gorinman Street
Ramat-Aviv
Tel Aviv 69971

Annex B

Via registered
mail
with return
receipt

Dear Mr. Ozeri,

Re: U.S. Patent Application No. 10/535,103
"Peristaltic pump"
in the name of Q-CORE Ltd.
Inventors: Zvi BEN-SHALOM, Ori GOLDOR, Roni SHABAT and Shaul OZERI
Our Ref: 160158-2 BS/ys

Upon review of our file we found that we are still missing your signatures on the Assignment and the Combined Declaration and Power of Attorney forms for the above application.

In this connection, we enclosed herewith copies of the above mentioned forms, which we ask that you sign and date in the spaces provided. Kindly return the original executed forms to us by November 28, 2005. For your convenience, we have enclosed a postage-prepaid envelope.

Also enclosed is a copy of the PCT Publication, amended claims annexed to the International Preliminary Examination Report and a copy of the claims as filed upon entry into the National Phase in the USA.

We thank you in advance for your cooperation with this matter and look forward to receiving the above forms shortly.

Yours very truly,
REINHOLD COHN AND PARTNERS
By:

Yuval Sharon
Administrator Foreign Filing - Patents

YS/Encl.

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01601582/20-01

REINHOLD COHN
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Annex C

ברקוד פריט / شك: ZI0988809471

סוג פריט: רשות עם אישור מסירה

פעולה:

סוג יחידה: יחידת דואר	ברקוד شك	14/12/2005 15:41:16
סניף: מקוה ישראל	שם מבצע: נקלע בצוואר	15/12/2005 04:21:33
שם מבצע: מ"ר דואר תל אביב	שם מבצע: זהבה טבוק	שיר לאות-97
שם מבצע: מ"ר דואר תל אביב	שם מבצע: שמי אריאל	15/12/2005 08:45:41
שם מבצע: מ"ר דואר תל אביב	שם מבצע: שמי אריאל	הופק 517 לאות - 97 א עי' שימוש יוסף
שם מבצע: מ"ר דואר תל אביב	שם מבצע: שמי אריאל	15/12/2005 08:46:32
שם מבצע: מ"ר דואר תל אביב	שם מבצע: רמי משטה	15/12/2005 13:15:39
שם מבצע: מ"ר דואר תל אביב	שם מבצע: רמי משטה	הודעה ראשונה - הועבר למסירה באשנב עי' שימוש יוסף
שם מבצע: מ"ר דואר תל אביב	שם מבצע: רמי משטה	15/12/2005 16:36:56
שם מבצע: מ"ר דואר תל אביב	שם מבצע: רמי משטה	יציאה - סניף - רמת אביב
שם מבצע: מ"ר דואר תל אביב	שם מבצע: רמי משטה	15/12/2005 16:38:34
שם מבצע: מ"ר דואר תל אביב	שם מבצע: רמי משטה	הופק 517 מיליחדה - סניף - רמת אביב
שם מבצע: רמת אביב	סניף	23/12/2005 10:25:28
שם מבצע: רמת אביב		נמסר - נמסר לנמען

PCT/PCTO 26 APR 2006

10/535103

MAIL STOP PCT-MISSING PARTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : Group Art Unit: unknown
BEN SHALOM et al. : Examiner: unknown
Serial No. 10/535,103 :
Filed: May 16, 2005 :
For: PERISTALTIC PUMP : Atty Docket: 26784U
: :
: :
: :

PETITION FOR EXTENSION OF TIME UNDER 37 CFR § 1.136

and

FEES PAYMENT AUTHORIZATION UNDER 37 CFR § 1.17

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

SMALL ENTITY

Pursuant to 37 CFR §§ 1.17, 1.136, applicant(s), a qualified SMALL ENTITY, hereby petition(s) for an extension of time as follows:

- One-month extension of time to respond to the Office Action dated _____ (\$60.00 fee)
 - Two-month extension of time to respond to the Office Action dated _____ (\$225.00 fee)
 - Three-month extension of time to respond to the Office Action dated _____ (\$510.00 fee)
 - Four-month extension of time to respond to the Office Action dated _____ (\$795.00 fee)
 - Five-month extension of time to respond to the Office Action dated 09/26/2005 (\$1,080.00 fee)
- A check including the above-indicated amount is enclosed. If extensions of time under 37 CFR § 1.136 other than those provided herewith are required to allow consideration of papers accompanying this Petition, then such extensions of time are hereby petitioned. The Commissioner is hereby authorized to charge fee deficiency under 37 CFR §§ 1.16 or 1.17, or credit any overpayment, to Deposit Account No. 14-0112.

05/01/2006 LLANDGRA 00000062 10535103

02 FC:2255

1080.00 OP

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:

Gary M. Nath
Registration No. 26,965
Jerald L. Meyer
Registration No. 41,194
Customer No. 20529

Date: April 26, 2006
NATH & ASSOCIATES PLLC
112 South West Street
Alexandria, VA 22314
(202) 775-8383

JAP/REC OCT/PCT 26 APR 2006
MAIL STOP PCT-MISSING PARTS

Attorney Docket: 26784U

10/535103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BEN SHALOM et al.

International Application Number: PCT/IL2003/000947

Serial Number: NOT YET ASSIGNED

International Filing Date: 12 November 2003 (12.11.2003)

Filing Date: May 16, 2005

Title: PERISTALTIC PUMP

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Transmittal Letter;
- 2) Copy of Notice of Missing Requirements,
- 3) Petition for 5 month Extension of Time,
- 4) **Petition Under 37 1.47 for Filing When an Inventor Refuses to Sign;**
- 5) Declaration by Mr. Eran Resheff, CEO of Q-core Ltd.
- 6) Declaration by Dr. Ben Spungin, patent attorney for Reinhold Cohn and Partners,
- 7) Annex A, letter to Mr. Reshef of Q-CORE LTD.,
- 8) Annex B, letter to Mr. Ozeri at his home address,
- 9) Annex C, report issued by Israel Postal Service,
- 10) Stamped filing receipt of items submitted for the U.S. National Phase Under 35 USC 371 on May 16, 2005,
- 11) Copy of executed declaration without fourth inventor's signature as submitted on May 16, 2005,
- 12) Assignment executed by three of the four inventors,
- 13) Check No. 2049 \$ 130.00 for Petition Fee Under 37 CFR 1.17(h);
- 14) Check No. 2050 \$ 1,080.00 for 5 month extension of time fee as a small entity;
- 15) Check No. 2051 \$ 65.00 for surcharge;
- 16) Check No. 2052 \$ 70.00 for increase in Petition Fee Under 37 CFR 1.17(h).

05/01/2006 LLANDGRA 00000062 10535103

03 FC:2617

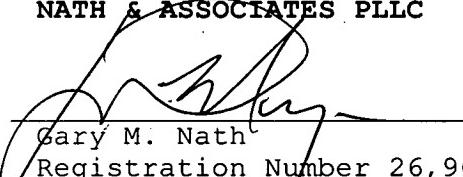
65.00 OP

Date: April 26, 2005

NATH & ASSOCIATES PLLC
112 South West Street
Alexandria, VA 22314
703-548-6284

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:


Gary M. Nath

Registration Number 26,965
Gregory B. Kang
Registration Number 45,273
Jerald L. Meyer
Registration Number 41,194



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/535,103	Zvi Ben Shalom	26784U
INTERNATIONAL APPLICATION NO.		
PCT/IL03/00947		
I.A. FILING DATE	PRIORITY DATE	
11/12/2003	11/14/2002	
CONFIRMATION NO. 3580		
371 FORMALITIES LETTER		
 OC000000017087521		

Date Mailed: 09/26/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/16/2005
- Copy of the International Search Report filed on 05/16/2005
- Copy of IPE Report filed on 05/16/2005
- Copy of Annexes to the IPER filed on 05/16/2005
- Oath or Declaration filed on 05/16/2005
- Request for Immediate Examination filed on 05/16/2005
- U.S. Basic National Fees filed on 05/16/2005
- Assignment filed on 05/16/2005
- Priority Documents filed on 05/16/2005
- Specification filed on 05/16/2005
- Claims filed on 05/16/2005
- Drawings filed on 05/16/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$230 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does

not comply with 37 CFR 1.497(a) and (b) in that it:

- is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$295** for a Small Entity:

- **\$65** Surcharge.
- Total additional claim fee(s) for this application is **\$ 230**
 - **\$50** for 2 total claims over 20.
 - **\$180** for multiple dependent claim surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/535,103	PCT/IL03/00947	26784U

FORM PCT/DO/EO/905 (371 Formalities Notice)